



Three Bryant Park  
1095 Avenue of the Americas  
New York, NY 10036-6797  
+1 212 698 3500 Main  
+1 212 698 3599 Fax  
www.dechert.com

**ANDREW J. LEVANDER**

andrew.levander@dechert.com  
+1 212 698 3683 Direct  
+1 212 698 0483 Fax

December 4, 2020

**VIA ECF**

Hon. Lewis J. Liman  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**APPLICATION GRANTED.**

The Probation Department shall prepare a revised presentence report by January 11, 2021. The sentencing previously scheduled for December 15 is adjourned. A Status Conference is scheduled for December 18, 2020 at 3:00PM. Parties are directed to dial into the Court's teleconference line at 888-251-2909 and use access code 2123101.

12/7/2020 SO ORDERED.

A handwritten signature in black ink, appearing to read "L. Liman".  

LEWIS J. LIMAN  
United States District Judge

Re: *United States v. Huberfeld* (1:16-cr-00467-LJL)

Dear Judge Liman:

We, along with Meister Seelig & Fein LLP, represent Mr. Huberfeld in the above-captioned matter. On August 4, 2020, the Judgment entered against Mr. Huberfeld by Judge Hellerstein (Dkt. No. 296) was vacated on appeal, and his case remanded for resentencing. *See* Dkt. No. 333. On December 1, Mr. Huberfeld's case was reassigned to Your Honor to preside over his resentencing.

Pursuant to Rule 32(d) of the Federal Rules of Criminal Procedure, we respectfully request that an updated Presentence Report be issued in advance of Mr. Huberfeld's resentencing. As the Court is aware, there have been some significant changed circumstances since February 2019, including the Second Circuit's decision, the health of Mr. Huberfeld and his family, and, of course, the ongoing global COVID-19 pandemic. The Probation Office, and ultimately this Court, should consider these changed circumstances.

We therefore respectfully request that the U.S. Probation Office be directed to issue an updated Presentence Report, pursuant to Rule 32(d), in advance of Mr. Huberfeld's resentencing. The government has informed us that it consents to this request.

Sincerely,

/s/ Andrew J. Levander

Andrew J. Levander

LER

cc: All counsel of record, via ECF